

Form 10 - AFFIDAVIT OF MAILING ONLY

GERSTEIN SAVAGE KAPLOWITZ

ATTN:

UNITED STATES SOUTHERN DIST. COURT NEW YORK COUNTY

MERIT CAPITAL GROUP, LLC

plaintiff

- against -

TRIO INDUSTRIES MANAGEMENT, LLC  
ET AL

defendant

Index No. 04-CV-07690

Date Filed .....

Office No.

Court Date: 10/15/2004

STATE OF NEW YORK, COUNTY OF NEW YORK

:SS:

JOEL GOLUB being duly sworn, deposes and says:  
I am over 18 years of age, not a party to this action and reside in the State  
of New York. That on the 7th day of October, 2004 at a regular postal  
depository maintained by the United States at Church Street Station,  
New York, New York, deponent mailed the copy of

SUMMONS AND COMPLAINT

ORDER TO SHOW CAUSE WITH AFFIDAVIT AND EXHIBITS  
WITH TEMPORARY RESTRAINING ORDER

TWO ORDERS AND MEMORANDUM OF LAW

to EVAN R. DANIELS  
the DEFENDANT at %TRIO INDUSTRIES HOLDINGS, LLC 8411  
PRESTON RD, STE 850, DALLAS TX 75225

Copy mailed by 1st class mail marked personal & confidential not indicating  
on the outside thereof, by return address or otherwise that said notice is  
from an attorney or concerns an action against the person to be served.  
AS EVIDENCED BY CERTIFICATE OF MAILING HEREWITH ATTACHED

Sworn to before me this  
7th day of October, 2004

SAMSON NEWMAN  
Notary Public, State of New York  
No. 31-4783767

Qualified in NEW YORK COUNTY  
Commission Expires 11/03/2005

.....  
JOEL GOLUB 701893  
AETNA CENTRAL JUDICIAL SERVICES  
225 BROADWAY, SUITE 1802  
NEW YORK, NY, 10007  
Reference No. 9GSKWM797866